

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:18-cv-315-FDW**

|                            |   |                     |
|----------------------------|---|---------------------|
| <b>JENYON McELVINE,</b>    | ) |                     |
|                            | ) |                     |
| <b>Plaintiff,</b>          | ) |                     |
|                            | ) |                     |
| <b>vs.</b>                 | ) | <b><u>ORDER</u></b> |
|                            | ) |                     |
| <b>KEN BEAVER, et al.,</b> | ) |                     |
|                            | ) |                     |
| <b>Defendants.</b>         | ) |                     |
|                            | ) |                     |

---

**THIS MATTER** is before the Court on Defendants' Third Motion for Extension of Time to File Dispositive Motions, (Doc. No. 54), and on Plaintiff's Motion for Extension of Time to File Dispositive Motions, (Doc. No. 60).

Defendants' Motion will be granted for good cause shown and the Motion for Summary Judgment, (Doc. No. 55), will be accepted as timely filed.

Plaintiff's Motion is unclear. He states that he seeks an extension of the dispositive motion deadline, which has already expired. It appears from a review of the case docket and of Plaintiff's Motion that he seeks an extension of time to respond to Defendants' Motion for Summary Judgment, (Doc. No. 55); see (Doc. No. 59). The Motion will be construed as seeking an extension of time to respond to Defendants' Motion for Summary Judgment and will be granted until December 24, 2019. No further extensions will be granted except on a showing of extraordinary circumstances.

**IT IS ORDERED** that:

1. Defendant's Third Motion for Extension of Time to File Dispositive Motions, (Doc. No. 54), is **GRANTED** and the Motion for Summary Judgment, (Doc. No. 55), is

- accepted as timely filed.
2. Plaintiff's Motion for Extension of Time to File Dispositive Motions, (Doc. No. 60), is construed as a motion to extend the time to file a response to Defendants' Motion for Summary Judgment, (Doc. No. 55), which is **GRANTED** until December 24, 2019, with no further extensions except on a showing of extraordinary circumstances.
  3. The Clerk is respectfully instructed to change Plaintiff's address of record to the Tabor Correctional Institution as indicated in his Motion. See (Doc. No. 60 at 1).

Signed: December 12, 2019



Frank D. Whitney  
Chief United States District Judge

